

ESTTA Tracking number: **ESTTA663078**

Filing date: **03/25/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91213057
Party	Defendant Hylete LLC
Correspondence Address	KYRIACOS TSIRCOU TSIRCOU LAW PC 515 S FLOWER ST , FL 36 LOS ANGELES, CA 90071 2221 UNITED STATES kyri@tsircoulaw.com
Submission	Motion to Extend
Filer's Name	Kyriacos Tsircou
Filer's e-mail	kyri@tsircoulaw.com, tyler@tsircoulaw.com
Signature	/kyri tsircou/
Date	03/25/2015
Attachments	HYLETE_MOTION_TO_EXTEND_3-25-15_FINAL.pdf(1411093 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

HYBRID ATHLETICS, LLC,

Opposer,

v.

HYLETE, LLC,

Applicant.

Opposition No.: 91213057

Application Serial No.: 85/837,045

EX-PARTE REQUEST FOR
EXTENSION OF TIME TO FILE
SUMMARY JUDGMENT MOTION
OPPOSITION BRIEF AND
EXPEDITED DETERMINATION
OF REQUEST

**APPLICANT'S EX-PARTE REQUEST FOR EXTENSION OF TIME TO
FILE SUMMARY JUDGMENT MOTION OPPOSITION BRIEF
AND EXPEDITED DETERMINATION OF REQUEST**

Applicant respectfully requests the Trademark Trial and Appeal Board (“Board”) for an extension of time to file its summary judgment motion opposition brief, and expedited Determination of Request in view of current April 1, 2015 due date for Response.

I. MOTION TO EXTEND

In accordance with Fed. R. Civ. P. 6(b), Applicant hereby moves the Board for a thirty (30) day extension of the reply period. Applicant requests an extension in view of the following:

(A) Applicant needs the requested extension in order to comprehensively prepare its Brief In Opposition To Motion For Summary Judgment.

(B) This is the first request for extension on this motion.

(C) Applicant will not make any further requests for extension on this motion.

(D) In contrast to Applicant’s request for a limited extension of time needed for it to prepare its Response, Opposer has had extensive time between the last paper filed with the Board and the filing of the Motion, and has had as much extensive time before that as it needed, without any time constraints whatsoever, to prepare its nineteen page motion and exhibits. Nevertheless Opposer’s counsel has refused to cooperate with Applicant’s counsel and has refused to consent to a limited and relatively short extension needed for Applicant to respond on such an

important motion. Applicant does not seek an extension of time for purposes of delay.

DATE: March 25, 2015

By: /kyri tsircou/
Kyriacos Tsircou, Esq.
Attorneys for Applicant HYLETE, LLC

CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2015, I have sent a copy of EX-PARTE REQUEST FOR EXTENSION OF TIME TO FILE SUMMARY JUDGMENT MOTION OPPOSITION BRIEF AND EXPEDITED DETERMINATION OF REQUEST, pursuant to Fed. R. Civ. P. 26(a)(1), to the foregoing, by electronic mail and U.S. Mail, First Class pre-paid postage:

Wesley W. Whitmyer
St. Onge, Steward Johnston & Reens LLC
986 Bedford Street
Stamford, CT 06905
Tel. (203) 324-6155 Facsimile (203) 327-1096
Email:litigation@ssjr.com

/kyri tsircou/

Kyriacos Tsircou, Esq.